



**INFORMATION DISCLOSURE  
STATEMENT**

**PTO-1449**

**ATTY. DOCKET NO.:**

39740-0008A

**SERIAL NO.:**

10/758,307

**APPLICANT :** David Agus, et al.

**FILING DATE:** January 14, 2005

**GROUP:** 1632

**FOREIGN PATENT DOCUMENTS**

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
/C.Q./	WO 02/10436	2-07-2002	PCT	C12Q	1/00	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 03/078662 A1	9-25-2003	PCT	C12Q	1/68	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 02/46467 A2	6-13-2002	PCT	C12Q	1/68	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 00/55180	9-21-2000	PCT	C07K		<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 01/75160 A1	10-11-2001	PCT	C12Q	1/68	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 00/55173	9-21-2000	PCT	C07H	21/04	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	WO 02/059271 A2	8-01-2002	PCT	C12N		<input type="checkbox"/>	<input checked="" type="checkbox"/>

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Ahmad, Athar, et al., "Stromelysin 3: An Independent Prognostic Factor for Relapse: Free Survival in Node-Positive Breast Cancer and Demonstration of Novel Breast Carcinoma Cell Expression", American Journal of Clinical Pathology, Vol. 152, No. 3, pp 721-728, March 3, 1998
	Borresen-Dale, A. L. et al, "Genetic Profiling of Breast Cancer: From Molecular Portraits to Clinical Utility", The International Journal of Biological Markers, Vol. 18, No. 1, pp 54-56, September 20, 2002
	Chenard, Marie-Pierre, et al., "High Levels of Stromelysin-3 Correlate with Poor Prognosis in Patients with Breast Carcinoma", The Journal of Molecular Diagnostics, Vol. 69, No. 6, pp 448-451, 1996
	Engel, Georg, et al., "Correlation Between Stromelysin-3 mRNA Level and Outcome of Human Breast Cancer", Vol. 58, No. 6, pp 830-835, 1994.
	Forozan, Farahnaz, et al., "Comparative Genomic Hybridization Analysis of 38 Breast Cancer Cell Lines: A Basis for Interpreting Complementary DNA Microarray Data", Cancer Research, Vol. 60, No. 16, pp 4519-4525, August 15, 2000
	Guérin, Martine, et al. "Structure and Expression of <i>cerbB2</i> and EGF Receptor Genes in Inflammatory and Non-Inflammatory Breast Cancer", International Journal of Cancer, Vol. 43, pp 201-208, 1989
	Leek, Russell, et al., "Association of Macrophage Infiltration with Angiogenesis and Prognosis in Invasive Breast Carcinoma", Cancer Research, Vol. 56, pp 4625-4629, October 15, 1996
✓	Murray, P. A., et al., "The Prognostic Significance of Transforming Growth Factors in Human Breast Cancer", British Journal of Cancer, Vol. 67, No. 6, pp 1408-1412, 1993


**EXAMINER**

/Celine Qian/

**DATE CONSIDERED**

10/05/2007

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		<b>APPLICANT :</b> David Agus, et al.	
		<b>FILING DATE:</b> January 14, 2005	<b>GROUP:</b> 1632
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
/C.Q./	Raschellá, Giuseppe, et al., "Expression of <i>B-myl</i> in Neuroblastoma Tumors is a Poor Prognostic Factor Independent from MYCN Amplification", Cancer Research, Vol. 59, pp 3365-3368, July 15, 1999		
	Samuels-Lev, Yarden, et al., "ASPP Proteins Specifically Stimulate the Apoptotic Function of p53", Molecular Cell, Vol. 8, pp 781-794, October 2001		
	Schorr, Kristel, et al. "Bel-2 Gene Family and Related Proteins in Mammary Gland Involution and Breast Cancer", Journal of Mammary Gland and Neoplasia, Vol. 4, No. 2, pp 153-164, April 1999		
	Sens, Mary Ann et al., "Metallothionein Isoform 3 Overexpression is Associated with Breast Cancers having a Poor Prognosis", American Journal of Pathology, Vol. 159, No. 1, July 2001		
	Sgroi, Dennis C., et al., "In Vivo Gene Expression Profile Analysis of Human Breast Cancer Progression", Cancer Research, Vol. 59, No. 22, pp 5656-5661, November 15, 1999		
	Ueno, Takayuki et al., "Significance of Macrophage Chemoattractant Protein -1 in Macrophage Recruitment, Angiogenesis and Survival in Human Breast Cancer". Clinical Cancer Research, Vol. 6, pp 3282-3289, August 2000		
	van't Veer, Laura, et al. "Gene Expression Profiling Predicts Clinical Outcome of Breast Cancer", Nature, Vol. 415, No. 6871, January 31, 2002		
<b>EXAMINER</b> /Celine Qian/		<b>DATE CONSIDERED</b> Celine Qian	

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 DN: cn=Celine Qian, c=US, o=USPTO, ou=1E28, email=Celine.Qian@uspto.gov  
 Date: 2007.10.05 18:43:54 -0400

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Form PTO-1449

## INFORMATION DISCLOSURE STATEMENT

Attorney's Docket No.  
39740-0008AApplication Serial No.  
10/758,307

Applicant(s)

Melody A. COBLEIGH, et al.

(use several sheets if necessary)

Filing Date:  
January 14, 2004Group Art Unit:  
1632

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)
/C.Q./	1.	12/14/1999	6,001,583	Margolis	435	7.23	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation	
							YES	NO
/C.Q./	2.	12/27/2002	WO 02/103320	Dai et al.	G01N			
	3.	06/07/2001	WO 01/40466	Baker et al.	C12N	15/12		
	4.	08/01/2002	WO 02/059377	Mack et al.	C12Q	1/68		
	5.	07/18/2002	WO 02/055988	Gish et al.	G01N			
	6.	09/27/2001	WO 01/70979	Lee et al.	C12N	15/12		
	7.	10/09/2003	WO 03/083096	Delaney et al.	C12N	9/12		
	8.	06/13/2002	WO 02/46467	Bertucci et al.	C12Q	1/68		
	9.	09/06/2002	WO 02/068579	Venter et al.	C12G			
	10.	01/21/1999	WO 99/02714	Billing-Medel et al.	C12N	15/63		
	11.	09/21/2000	WO 00/55173	Rosen et al.	C07H	21/04		
	12.	08/31/2000	WO 00/50595	Gout et al.	C12N	15/12		
	13.	01/03/2002	WO 02/00677	Birse et al.	C07H	21/02		
	14.	01/31/2002	WO 02/08261	Botstein et al.	C07K	14/00		
	15.	01/31/2002	WO 02/08260	Botstein et al.	C12N	15/52		
	16.	01/31/2002	WO 02/08282	Botstein et al.	C07K	14/47		
	17.	01/31/2002	WO 02/08765	Botstein et al.	G01N	33/574		
	18.	08/02/2001	WO 01/55320	Rosen et al.	C12N			

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(including author, title, date, pertinent pages, etc.)

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	21.	Martin et al., "Linking Gene Expression Patterns to Therapeutic Groups in Breast Cancer", Cancer Research, Vol. 60, pp. 2232-2238, April 15, 2000.
	22.	Perou et al., "Molecular portraits of human breast tumors", Nature, Vol. 406, pp. 747-752 (2000)
	23.	Ramaswamy et al., "Multiclass cancer diagnosis using tumor gene expression signatures", Proceedings of the National Academy of Sciences of USA, Vol. 98, No. 26, pp. 15149-15154, December 18, 2001.
✓	24.	Sorlie et al., "Gene Expression patterns of breast carcinomas distinguish tumor subclass with clinical implications", Proceedings of the National Academy of Sciences of USA, Vol. 98, No. 19, pp. 10869-10874, September 11, 2001.

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\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

SV 2125036 v1

<b>Form PTO-1449</b>		<b>Attorney's Docket No.</b> 39740-0008A	<b>Application Serial No.</b> 10/758,307
<b>INFORMATION DISCLOSURE STATEMENT</b>		<b>Applicant(s)</b> Melody A. COBLEIGH, et al.	
<i>(use several sheets if necessary)</i>		<b>Filing Date:</b> January 14, 2004	<b>Group Art Unit:</b> 1632
/C.Q./	25.	West <i>et al.</i> , "Predicting the clinical status of human breast cancer by using gene expression profiles", Proceedings of the National Academy of Sciences of USA, Vol. 98, No. 20, pp. 11462-11467, September 25, 2001.	
/C.Q./	26.	Yan <i>et al.</i> , "Dissecting Complex Epigenetic Alterations in Breast Cancer Using CpG Island Microarrays", Cancer Research, Vol. 61, pp. 8375-7380, December 1, 2001.	
/C.Q./	27.	Yeang <i>et al.</i> , "Molecular Classification of Multiple Tumor Types", Bioinformatics, Vol. 17, Suppl: 1, pp. S316-S322 (2001)	

<b>EXAMINER:</b> Celine Qian	<small>Digitally signed by Celine Qian DN: cn=Celine Qian, ou=USPTO, ou=1636, email=celine.qian@uspto.gov Date: 2007.10.05 16:45:44 -0400</small>	<b>DATE CONSIDERED:</b>
<b>EXAMINER:</b> Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.		
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SV 2125036 v1		

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SHEET 1 OF 2

INFORMATION DISCLOSURE  
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PTO-1449

ATTY. DOCKET NO.

39740-0008A

SERIAL NO.

10/758,307

APPLICANT: Melody Cobleigh et al.

FILING DATE: 1/14/2004

GROUP: 1634

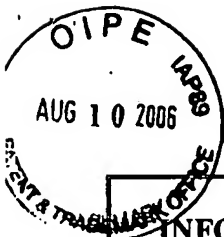
## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
/C.Q./	2002/0004491	1/10/2002	Jiangchun Xu, et al.	514	44	
	2002/0039764	4/4/2002	Craig A. Rosen	435	69.1	
	2002/0160395	10/31/2002	Dario C. Altieri, et al.	435	6	
	2003/0198972	10/23/2003	Mark G Erlander, et al.	435	6	
	2003/0219771	11/27/2003	Michael Bevilacqua, et al.	435	6	
	2003/0229455	12/11/2003	Michael Bevilacqua, et al.	702	20	
	2004/0126775	7/1/2004	Dario C. Altieri, et al.	435	6	
	4,968,603	11/06/1990	Dennis J. Slamon, et al.	435	6	
	5,202,429	4/13/1993	Yoshihide Tsujimoto, et al.	536	23.5	
	5,670,325	9/23/1997	Stanley N. Lapidus, et al.	435	6	
	5,741,650	4/21/1998	Stanley N. Lapidus, et al.	435	6	
	5,830,665	11/3/1998	Anthony P. Shuber, et al.	435	6	
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	5,928,870	7/27/1999	Stanley N. Lapidus, et al.	435	6	
	5,952,178	9/14/1999	Stanley N. Lapidus, et al.	435	6	
	5,962,312	10/5/1999	Gregory Plowman, et al.	435	320.1	
	6,020,137	2/1/2000	Stanley N. Lapidus, et al.	435	6	
	6,100,029	8/8/2000	Stanley N. Lapidus, et al.	435	6	
	6,143,529	11/7/2000	Stanley N. Lapidus, et al.	435	91.2	
	6,146,828	11/14/2000	Stanley N. Lapidus, et al.	435	6	
	6,171,798	1/9/2001	Arnold L Levine, et al.	435	6	
	6,207,401	3/27/2001	Gregory Plowman, et al.	435	15	
	6,245,523	6/12/2001	Dario C. Altieri	435	69.1	
	6,620,606	9/16/2003	Olga Bandman, et al.	435	219	
EXAMINER	/Celine Qian/		DATE CONSIDERED		10/05/2007	

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<b>U.S. PATENT DOCUMENTS</b>						
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
/C.Q./	6,696,558	2/24/2004	John C. Reed, et al.	536	23.5	
	6,716,575	4/6/2004	Gregory Plowman, et al.	435	6	
	6,750,013	6/15/2004	Kurt C. Gish, et al.	435	6	
	6,203,993	3/20/2001	Anthony P. Shuber, et al.	435	6	
	6,214,558	4/10/2001	Anthony P. Shuber, et al.	435	6	
	6,248,535	6/19/2001	Danenberg Kathleen, et al	435	6	
	6,800,737	10/5/2004	Dario C. Altieri	530	386	
↓	6,943,150	9/13/2005	Dario C. Altieri	514	21	
EXAMINER Celine Qian			DATE CONSIDERED			

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SHEET 1 OF 2

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		<b>APPLICANT:</b> Melody Cobleigh				
		<b>FILING DATE:</b> 01/14/2004		<b>GROUP:</b> 1634		
<b>U.S. PATENT DOCUMENTS</b>						
<b>EXAMINER'S INITIALS</b>	<b>PUBLICATION NO.</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>
/C.Q./	2002/0009736	01/24/02	Wang	435	6	
	2003/0073112	04/17/03	Zhang et al.	435	6	
	2003/0104499	06/05/03	Pressman et al.	435	7.23	
	2003/0165952	09/04/03	Linnarsson et al.	435	6	
	2003/0180791	09/25/03	Chinnadurai	435	6	
	2003/0198970	10/23/03	Roberts	435	6	
	2004/0009489	01/15/04	Golub et al.	435	6	
	2004/0133352	07/08/04	Bevilacqua et al.	702	19	
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	4,699,877	10/13/87	Cline et al.	435	6	
	5,015,568	05/14/91	Tsujimoto et al.	435	5	
	5,459,251	10/17/95	Tsujimoto et al.	536	23.5	
	RE 35491	04/08/97	Cline et al.	435	6	
	5,858,678	01/12/99	Chinnadurai	435	7.1	
	5,952,179	09/14/99	Chinnadurai	435	6	
	5,985,553	11/16/99	King et al.	435	6	
	6,207,452	03/27/01	Govindaswamy	435	330	
	6,271,002	08/07/01	Linsley et al.	435	91.1	
	6,322,986	11/27/01	Ross	435	6	
	6,414,134	07/02/02	Reed	536	24.5	
	6,582,919	06/24/03	Danenberg	435	6	
	6,602,670	08/05/03	Danenberg	435	6	
	6,618,679	09/09/03	Loehrlein et al.	702	20	
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<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Translation YES NO	
/C.Q./ ↓ V		05/04/88	EP 0 108 564 B1	Cline et al.			N/A	
		11/26/03	EP 1 365 034	Wirtz et al.			X	
		04/12/01	WO 01/25250	Slamon et al.			X	
		01/24/02	WO 2002/006526	Slamon et al.			X	
		07/03/02	WO 02/17852	Warrel et al.			X	
		02/13/03	WO 03/011897	Singer et al.			X	
<b>OTHER DOCUMENTS</b> (including author, title, date, pertinent pages, etc.)								
Examiner Initials	Ref. No.	Title						
/C.Q./		Brabender, Jan, et al.; <i>Epidermal Growth Factor Receptor and HER2-neu mRNA Expression in Non-Small Cell Lung Cancer Is Correlated with Survival</i> , Clinical Cancer Research; Vol. 7, July 2001; pgs. 1850-1855.						
/C.Q./		Ding, Chunming, et al.; <i>A high-throughput gene expression analysis technique using competitive PCR and matrix-assisted laser desorption ionization time-of-flight MS</i> , PNAS, Vol. 100:6; March 18, 2003; pgs. 3059-3064.						
/C.Q./		Cambridge Healthtech Institute Conference Agenda; "ENABLING MOLECULAR PROFILING WITH CELLULAR RESOLUTION: Microgenomics Using Homogeneous Cell Samples"; Dec. 2002; 5 pgs.						
/C.Q./		Yang, Li, et al.; <i>BADGE, Beads Array for the Detection of Gene Expression, a High-Throughput Diagnostic Bioassay</i> ; Genome Research; Vol. 11; 2001; pgs. 1888-1898.						
EXAMINER			DATE CONSIDERED			Celine Qian		

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Date: 2007.10.06 14:32:42 -0400

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